

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	No. 3:08-MJ-2095
V.)	(GUYTON)
)	
JOHN E. FRANCE, JR.,)	
)	
Defendant.)	

ORDER

This matter came before the undersigned for a preliminary hearing pursuant to Fed. R. Cr. P. 5.1 on December 22, 2008. Cynthia Davidson, Assistant United States Attorney, was present representing the government and Christopher Oldham was present representing the defendant, France. The defendant also was present. At the hearing, FBI Special Agent Andy Chapman testified as to the stop and search of a vehicle which yielded a firearm and ammunition. Special Agent Chapman testified that the defendant France admitted to possession of the firearm and ammunition. Special Agent Chapman also testified that the defendant France is a convicted felon.

Based on the testimony and evidence presented at the hearing, the Court finds there is probable cause to believe the charged offense was committed and that it was committed by defendant France. In particular, the Court finds there is probable cause to believe defendant France, a convicted felon, did possess a firearm and ammunition, as alleged in the Criminal Complaint in this matter.

Accordingly, it is **ORDERED** that the defendant France is therefore held to answer in the District Court.

IT IS SO ORDERED:

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge